

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE UNDER 37 CFR 1.11E  
EXPEDITED PROCEDURE  
EXAMINING GROUP

In Re Application of: Hajime AGA et al

Application No.: 09/034,336

Filed: March 4, 1998

For: REDUCTION INHIBITORY AGENT FOR ACTIVE-OXYGEN-ELIMINATING ACTIVITY

Art Unit: 1623

JAN 20 2000

Examiner: M. Moran

Washington, D.C.

Atty.'s Docket: AGA=6

Date: January 13, 2000

000-13-313 BY HAND-CARRYING

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

Transmitted herewith is an [X] Amendment [ ]

in the above-identified application.

[ ] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted

[ ] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

[ ] No additional fee is required.

[XX] The fee has been calculated as shown below:

|   | (Col. 1)                                  | (Col. 2) | (Col. 3)                              |
|---|---|----------|---------------------------------------|
|   | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT |          | HIGHEST NO.<br>PREVIOUSLY<br>PAID FOR |
| TOTAL                                     | * 8                                       | MINUS    | ** 26                                 |
| INDEP.                                    | * 1                                       | MINUS    | *** 3                                 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM |   |          |                                       |

ADDITIONAL FEE TOTAL

| SMALL ENTITY         |                   | OTHER THAN SMALL ENTITY |                   |
|----------------------|-------------------|-------------------------|-------------------|
| RATE                 | ADDITIONAL<br>FEE | RATE                    | ADDITIONAL<br>FEE |
| x 9                  | \$                | x 18                    | \$                |
| x 39                 | \$                | x 78                    | \$                |
| + 130                | \$                | + 260                   | \$                |
| ADDITIONAL FEE TOTAL |                   | TOTAL                   |                   |

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[ ] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [ ] First - \$ 55.00
- [ ] Second - \$ 190.00
- [ ] Third - \$ 435.00
- [ ] Fourth - \$ 680.00

Month After Time Period Set

[ ] Less fees (\$\_\_\_\_\_) already paid for \_\_\_\_ month(s) extension of time on \_\_\_\_\_.

[ ] Please charge my Deposit Account No. 02-4035 in the amount of \$\_\_\_\_\_.

[XX] A check in the amount of \$ 110.00 is attached (check no. 24589).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP

#10/C  
PLUNKETT  
2/8/00  
(AS)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: AGA=6

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Hajime AGA et al ) Examiner: M. Moran  
Appln. No.: 09/034,336 ) Washington, D.C.  
Filed: March 4, 1998 ) January 13, 2000  
For: REDUCTION INHIBITORY )  
AGENT FOR ACTIVE-OXYGEN )  
ELIMINATING ACTIVITY ) **BY HAND-CARRYING**

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**SECOND AMENDMENT AFTER FINAL ACTIONON**

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Supplementing the reply filed December 7, 1999, and  
taking into account the Advisory Action mailed December 20,  
1999, and **after entering the amendment of December 7, 1999,**  
please further amend as follows:

IN THE CLAIMS

Rewrite claim 5 in twice-amended form as follows:

*DO NOT  
ENTER  
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DI* 5 (Twice-amended). A method for inhibiting the  
decrease of active-oxygen-eliminating activity, which  
comprises a step of  
incorporating, in an aqueous system, an inhibitory  
agent into a plant substance [having] which is in a juicy form